TABLE OF CONTENTS
SH2248852

Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 08-12-09	Bureau/Station/Facility: Century Station	Admin. Invest.? ☐	Hit? ☐

Incident Information

URN: 009-15598-2112-055	Date: 08-12-09 Time: 0100
City or Station: Lynwood	Nature of Incident: While off Duty, Deputy Tony Franklin #[redacted] fired one bullet from his 9mm Model 92F when Suspect Aguirre fired a handgun at him first, following a verbal confrontation.
Location: [redacted] Brenton Avenue Lynwood, CA 90262	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, **Street**, Other: ____

Lighting (*circle only one*): **Darkness**, Daylight, Other, Street Lights

Weather (*circle only one*): **Clear**, Cloudy, Fog, Rain

Distance: 70'

Incident Type (*circle one or more*): Accidental, **Armed Person**, Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: ____

Initiated by (*circle only one*): Arrest Warrant, Call, Observation, One Person Unit, **Other**, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, **Other**, Routine Patrol

Aero Unit? ☒ Canine Unit? ☐

Total # of Shots Fired by Deputy: 1

Total # of Shots Fired by Suspect: 1

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.			
[redacted]	[redacted]				
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**	
[redacted]	[redacted]	[redacted]		[redacted]	
Last Name	**First Name**	**M.I.**			
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**	
Last Name	**First Name**	**M.I.**			
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**	

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	Kusayanagi	Chris		On Duty / Present during shooting / Witness to shooting / Involved in shooting
[redacted]	Williams	Joseph		On Duty / Present during shooting / Witness to shooting / Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Mendoza	Jose	

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Ditsch	Craigl	

PSTD Use Only

SH # 2248852

See Reverse

Officer Involved Shooting

URN: 009-15598-2112-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
08-12-09	0230	12-30-09	

Employee #	Last Name	First Name	M.I
[redacted]	Kusch	Roderick	
[redacted]	Maldonado	Albert	
[redacted]	Rios	Jose	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	FH	Un	Un				
E#1	S#1	FH	BR	9	Y	Y	NN	

Officer Involved Shooting
nvolved Employee Information

URN: 009-15598-2112-055

Involved Employee

E 1

Employee # [redacted]	Last Name: Franklin	First Name: Tony	M.I.: T
Sex: M Race: B	Rank: Deputy Sheriff Generalist	Unit Assignment: Century Station	Work Assignment (Unit #, Module, etc.): Patrol
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime (Off Duty — circled)	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: — Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): (Plain Clothes no Vest — circled) / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 5' 10 Weight: 170			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☒ — Number of Prior Shootings: 1 — Directed Force: [redacted]
Weapons Fired Brand: Beretta — Caliber: 9mm — # Shots: 1	Weapons Fired Brand: — Caliber: — # Shots:		
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ — Number of Prior Shootings: — Directed Force: ☐
Weapons Fired Brand: — Caliber — # Shots	Weapons Fired Brand: — Caliber — # Shots		
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ — Number of Prior Shootings: — Directed Force: ☐
Weapons Fired Brand: — Caliber — # Shots	Weapons Fired Brand: — Caliber — # Shots		
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting
Suspect Information

URN: 009-15598-2112-055

Suspect Information

S__

Last Name: Aguirre		First Name: Carlos	M.I.: L
AKA Last Name: "Trigger"- Lynwood Mob Gang		First Name:	M.I.:
Sex: M Race: H	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone:	Home Phone: 323-249-9063	Social Security #:	Driver's License #: [redacted]
Age: 21 D.O.B. 03-21-88	Height: 5' 06 Weight: 150	FBI #: [redacted]	CII #: [redacted]
Booking #: 2016733	Primary Charge: 664/187(a) PC	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☒	Substance Used: alcohol
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: Ford		Model: Crown Vic	Year: 1998

S__

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S__

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S__

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

See Other Side

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY
DEPUTY INVOLVED NON-HIT SHOOTING
IAB #SH2248852
URN #009-15598-2112-051

Involved Employee:	**Tony Franklin, Deputy Sheriff, #504720**
Date:	**August 12, 2009 (Wednesday)**
Time:	**Approximately 0100 hours**
Location:	[redacted] **Brenton Avenue** **Lynwood, California 90262**

OPENING STATEMENT:

On August 12, 2009 (Wednesday), about 0100 hours, off-duty Century Station Deputy Tony Franklin was parked against the curb line on the roadway in his personal vehicle (a grey 2008 Mazda 3) with a female companion, [redacted] FH/18, northwest of [redacted] Brenton Avenue, Lynwood. This is a residential area primarily consisting of multi-unit apartment complexes. Suspect Carlos Aguirre walked from an unknown area of a nearby apartment complex and began urinating on the roadway in front of Deputy Franklin's car. When Deputy Franklin told Suspect Aguirre to move away from his car, Suspect Aguirre said he was "Trigger" from the "Lynwood Mob" (a local street gang) and it was his neighborhood. To protect himself and Ms. [redacted] Deputy Franklin exited his Mazda. Suspect Aguirre walked away, stating he was going to get a "strap" (a gun).

Suspect Aguirre returned moments later from behind some nearby apartments and fired one bullet at Deputy Franklin from about 75' away, missing him. In defense of his life, Deputy Franklin fired one bullet from his 9mm semiautomatic Model 92F Beretta duty-weapon, missing him. Suspect Aguirre fled, but was arrested a short distance away by responding Century Station patrol deputies. Suspect Aguirre was booked at the Century Regional Detention Facility for attempted murder of a peace officer. No one was injured.

Deputy Franklin's bullet penetrated the front window of Apartment A at the location and lodged in a television in the interior living room area. Although the apartment was occupied at the time of the shooting, no one inside was injured. Risk Management Bureau personnel responded and spoke with the occupants regarding the damage. After an extensive deputy search and canine search, no one could locate Suspect Aguirre's expended bullet, Suspect Aguirre's bullet strike or his weapon. However, witness interviews corroborate that Suspect Aguirre was armed.

INVOLVED PERSONNEL:

FRANKLIN, Tony, Deputy #[redacted]
Filed Operations Region II
Century Station

Work History:

FRANKLIN, Tony

Date of Employment:	01-05-2005
Date Assigned to Patrol:	[redacted]
Date Completed Patrol Training:	
Prior Shooting Incidents:	03-01-2008
Prior Founded Force Incidents:	[redacted]

SUSPECT INFORMATION:

AGUIRRE, Carlos Leonardo, Booking #2016733, MH/21, DOB: 08/21/88
[redacted]

Criminal History:

[redacted] He is an admitted "Lynwood Mob" gang member and his moniker is "Trigger." Refer to the **Miscellaneous** section of this case book for complete criminal history (CCHRS/CII) for Suspect Aguirre.

Detective Bates said the preliminary hearing phase of the trial is complete and Suspect Aguirre returns to court on February 11, 2010.

WITNESSES:

[redacted]

INJURIES:

None

PHYSICAL EVIDENCE:

Deputy Franklin's bullet penetrated an approximate 4' X 4' window at [redacted] When Detective Bates contacted the occupants, it was discovered the expended bullet lodged in the middle of a flat-screen television set inside the apartment, against the south wall of the living room. No occupants inside the location

were injured. Additionally an expended bullet was located on the grass between [redacted] and [redacted] (Refer to the supplemental report by Operations Safe Streets Bureau Detective Bates in **Exhibit A** for a description of the physical evidence.)

Suspect Aguirre's weapon was not recovered, nor was evidence associated with the firing of his weapon, although an extensive search was conducted with a scent dog.

INVESTIGATORS' OBSERVATIONS:

Responding Internal Affairs Bureau Sergeants walked through the crime scene and noted the area was dark, with illumination from overhead street lights. There was nothing remarkable beyond what was reported and documented during the investigation.

WEAPON USED BY DEPUTY PERSONNEL:

Deputy Franklin fired one Department-issued 9mm bullet from his Department-issued, Model 92FS, 9mm semiautomatic Beretta pistol, serial #BER[redacted] Refer to the Scientific Services Bureau Firearm report in the **Miscellaneous** section of this case book. The firearm and bullets were within manufacturer specifications.

In reviewing Deputy Franklin's Weapons Qualifying System (WQS) records, he did not qualify between 10-31-08 and the date of the shooting. In reviewing this information with Sergeant David Nell from the Biscailuz Center Range, he confirmed Deputy Franklin was delinquent in qualifying between those dates. (Refer to copy of WQS in **Miscellaneous** section of this case book.)

WEAPON USED BY SUSPECT:

Unknown type handgun

PROPERTY DAMAGE:

A bullet hole was located in the northwest facing 4' X 4' window at 3566 Brenton Avenue, Apartment A, Lynwood. A bullet was located inside the residence, lodged in the middle of the flat-screen television set's screen, shattering it. Risk Management Bureau personnel responded and spoke with the occupants regarding the damage.

CRIMINAL INVESTIGATOR/CHARGES FILED:

Investigator: Operation Safe Streets Bureau Detective Jason Bates #[redacted]
Court: South Central
Charges: 664/187(A) P.C. 245(A) (2) P.C. 246.3(A) P.C. 12021(A)(1) P.C.
Court Date: 02-11-10

LIGHTING AND WEATHER CONDITIONS

The incident occurred during darkness in the summer in Los Angeles County on August 12, 2009, approximately 0100 hours. The area was illuminated by street lights and lights from the apartment building at the location of the shooting.

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions where applicable.

INVOLVED EMPLOYEE'S STATEMENTS:

Century Station Deputy Tony Franklin, #[redacted]

Deputy Franklin was interviewed on November 30, 2009, at 0950 hours at the Internal Affairs Bureau Office where he was represented by Derald Brenneman of Green and Shinee.

Deputy Franklin's statement is summarized in the Incident Report written by Century Station Deputies Rubalcaba and Gonzales. In addition, Deputy Franklin wrote about his actions and observations in a supplemental report. Deputy Franklin recalled the incident as he documented in his report, as well as his IAB interview. (Refer to Deputy Franklin's summarized statements in the Incident Report and his supplemental report in **Exhibit A,** and the verbatim transcript of Deputy Franklin's interview.)

Deputy Franklin said he drove to the location to meet [redacted] who was "somebody [he] was interested in at the time" but no longer sees. Deputy Franklin said he had been to the location, off-duty, approximately five to ten times in the past, occasionally going inside her apartment or calling on her cellular telephone to meet him in front of the apartments.

Deputy Franklin said he was familiar with the area from patrolling it, and said he was aware it was a known "Lynwood Mob" gang member area. He was asked if meeting Ms. [redacted] in a known gang area was of concern to him. He said, "It's something that I had in my mind," and added that when he went to visit Ms. [redacted] he "was aware of the fact that that was an area that Lynwood Mob gang members congregate." He said that, alone, did not make him feel threatened to be there off-duty.

Deputy Franklin said the shooting happened so quickly he did not have time to identify himself as a deputy sheriff or leave the location after the initial verbal exchange with Suspect Aguirre.

Deputy Franklin was asked during his interview why he fired one bullet as opposed to two, as tactically trained. He replied that after the first shot, Suspect Aguirre dropped so suddenly to the ground and out of his sight he thought he had shot him. He said being

familiar with the area as a known gang area, and knowing other gang members might come to aid Suspect Aguirre, he chose to leave the location and request assistance.

Deputy Franklin said he did not dial 9-1-1 on his cellular telephone to report the shooting. He knew that dialing 9-1-1 from his cellular telephone first transferred the call to the California Highway Patrol, who then transfer the call to appropriate sheriff/police station. Deputy Franklin is familiar with the Century Station area, as well as the location where the shooting took place. The Century Sheriff Station telephone number is programmed on "speed dial" on Deputy Franklin's cellular telephone, and he knew his call would immediately dispatch units to his location. Deputy Franklin continued to give the suspect description, and he coordinated the containment while speaking to the Century Station dispatcher, who was able to relay information to responding units simultaneously. (Refer to the transcribed cellular telephone call in **Miscellaneous** section of this case book.)

WITNESS STATEMENTS:

[redacted] FH/18, DOB: [redacted]
[redacted]

Ms. [redacted] was interviewed by Operation Safe Streets Bureau Detective Bates and summarized on page 2 of his supplemental report in **Exhibit A.** IAB Sergeants Albert Maldonado and Jimmy Rios also interviewed Ms. [redacted] (Refer to the verbatim transcript of Ms. [redacted])

During the subsequent interviews by Operation Safe Streets Bureau Detectives Bates and Camarillo, as well as Century Station personnel, several residents were interviewed. (Refer to supplemental reports for these locations in **Exhibit A.**) Although many heard gunshots, none saw the actual shooting.

Detective Camarillo spoke to [redacted] FH/55, DOB: [redacted] who lives at [redacted] She said she heard gunshots but thought nothing of it due to the area having a high volume of gunfire. She said shortly after hearing the two gunshots, she went to the rear of her apartment to throw trash away in the trash can. She saw a male Hispanic, wearing a gray sleeveless shirt, unknown color, and long pants, standing in the walkway just a few feet north of her apartment door. She saw the male Hispanic place a gun, unknown what type or color, in the rear waistband of his pants and pull his gray shirt down over the gun concealing it. Ms. [redacted] told Detective Camarillo she would not be able to identify the male Hispanic again as he was facing away from her. (Refer to the supplemental report written by Detective Camarillo in **Exhibit A** documenting Ms. [redacted] observations.)

> **IAB Note:** [redacted] is the [redacted] The garage where the male Hispanics were congregating belongs to her apartment. The garage

was searched by Century Sheriff Station personnel for a firearm but no evidence was located (Refer to CD of garage search in **Miscellaneous** section of this case book.)

SUSPECT STATEMENTS:

Carlos Aguirre, Booking #2016733

Suspect Aguirre was interviewed by Operation Safe Streets Bureau Detective Bates and IAB Sergeants Maldonado and Rios. Although Suspect Aguirre admits to the verbal altercation with Deputy Franklin, he denies ever having a gun in his possession or firing at Deputy Franklin and Ms. [redacted] Suspect Aguirre said he had been drinking in the garage in the back of [redacted] with his "homies." After the verbal altercation he went back to the garage and told the others of the exchange with Deputy Franklin. Suspect Aguirre said he did not believe the person he was arguing with was a deputy, but believed he might be a "crip" gang member. (Refer to the supplemental report written by Detective Bates in **Exhibit A** and the verbatim transcriptions of his interviews.)

IAB Note: Suspect Aguirre's vehicle was towed and stored, "Hold for Evidence" at the time of the incident. Detective Bates explained due to the ongoing investigation of a deputy involved shooting, the vehicle might have been used by Suspect Aguirre to conceal evidence(Refer to CHP 180 in **Exhibit A.**)